

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

Crl.MC.No. 2040 of 2007()

CC.645/2006 of JUDL. MAGISTRATE OF FIRST CLASS, ERATTUPETTA

PETITIONER: ACCUSED 2, 3 & 4

1. MANY, S/O.VELAYUDHAN, KURINJITHODU HOUSE
KONDOOR, ARUVITHURA P.O.ERATTUPETTA, KOTTAYAM
DISTRICT.
2. NALINI, W/O.MANY, KURINJITHODU HOUSE,
KONDOOR, ARUVITHURA P.O., ERATTUPETTA,
KOTTAYAM DISTRICT.
3. JAYAN, S/O.MANY, KURINJITHODU HOUSE,
KONDOOR, ARUVITHURA P.O. ERATTUPETTA,
KOTTAYAM DISTRICT.

BY ADV. SRI.GEORGEKUTTY MATHEW

RESPONDENTS: COMPLAINANT/ACCUSED & STATE

1. SINDHU, W/O.JAYAPRAKASH,
KURINJITHODU HOUSE, KONDOOR, ARUVITHURA P.O.,
ERATTUPETTA, KOTTAYAM DISTRICT.
2. JAYAPRAKASH, S/O.MANY, KURINJITHODU
HOUSE, KONDOOR, ARUVITHURA P.O. ERATTUPETTA,
KOTTAYAM DISTRICT.
3. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB.
SRI.P.C.HARIDAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

Crl.M.C. NO. 2040 OF 2007

Dated this the 3rd day of July, 2007

ORDER

The petitioners are accused 2 to 4 in a prosecution, inter alia, under Sec.498A of the IPC. They are father-in-law, mother-in-law and brother-in-law respectively of the de facto complainant. The prayer in the petition is to quash the proceedings. But, in the course of discussions at the Bar, the learned counsel for the petitioners concedes that charges having been framed against the petitioners by the learned Magistrate, the petitioners are now limiting the prayer to one of exemption from personal appearance.

2. It is for the petitioners to apply before the learned Magistrate for exemption from personal appearance. I have no reason to assume that the learned Magistrate would insist on unnecessary personal appearance of the petitioners on all

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dates of posing. The learned Magistrate need insist on such personal appearance only on dates when such personal appearance is essential for the further progress of the case. On all other dates, they can be permitted to be represented by their counsel.

3. This Crl.M.C. is, in these circumstances, dismissed as agreed with the above observations.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge